

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Rita Boppana,

Complainant,

vs.

Southern California Gas Company,

Defendant.

Case 00-05-010  
(Filed May 11, 2000)

And Related Matters.

Case 00-05-011  
(Filed May 11, 2000)  
Case 00-05-012  
(Filed May 11, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING  
ON SOUTHERN CALIFORNIA GAS COMPANY'S MOTION  
TO SUSPEND THE PROCEDURAL SCHEDULE  
PENDING RULING ON MOTION TO DISMISS**

**Summary**

This Administrative Law Judge's (ALJ) ruling denies Southern California Gas Company's (SoCalGas) motion to suspend the procedural schedule and defers consideration of a motion to dismiss the complaints (Case (C.) 00-05-010, C.00-05-011, and C.00-05-012) until the post-hearing briefing schedule. Evidentiary hearings (EHs) will go forward as scheduled commencing on Monday, April 18, 2005, and continuing on through April 20, 2005, as necessary.

### **Procedural Schedule**

On March 7, 2005, an Assigned Commissioner's Ruling (ACR)/Scoping Memo was issued setting forth the scope of the proceeding, consolidating the three separate complaints for the EHs, establishing dates for the service of testimony, and setting the EHs for April 18 – 20, 2005, in the Commission's Hearing Room, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, California.

### **Motion to Suspend Procedural Schedule**

On March 30, 2005, complainants, through the Grassroots Coalitions, served prepared written testimony. On April 1, 2005, SoCalGas filed and served a motion to suspend the procedural schedule pending a ruling by the Commission on a motion to dismiss that SoCalGas intends to file. Pursuant to the ACR/Scoping Memo, SoCalGas's prepared testimony is due April 11, 2005, and SoCalGas wanted a ruling on its motion to dismiss before its testimony was due.

After careful reflection and consideration of the time that has passed since the initial complaints were filed in 2000, the Assigned Commissioner and ALJ have determined that it is in the best interest of the parties and the Commission to have EHs proceed as scheduled April 18 – 20, 2005, and to not rule on a motion to dismiss in advance of the EHs.

We will consider SoCalGas's April 1, 2005, motion as a five-day notice as required under Rule 56 of the Commission's Rules of Practice and Procedure, and our decision to not rule on the motion at this time is without prejudice to SoCalGas's ability to present the motion to dismiss as part of its post-hearing brief.

**IT IS RULED** that:

1. Southern California Gas Company's (SoCalGas) motion to suspend the procedural schedule is denied.
2. SoCalGas's April 1, 2005, motion constitutes notice pursuant to Rule 56 of the Commission's Rules of Practice and Procedure of its intent to bring a motion to dismiss.
3. The procedural schedule as established in the March 7, 2005, Assigned Commissioner's Ruling/Scoping Memo will remain in effect with evidentiary hearings going forward on April 18, 2005.

Dated April 6, 2005, at San Francisco, California.

/s/ CAROL A. BROWN

Carol A. Brown  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have this day served the attached Administrative Law Judge's Ruling on Southern California Gas Company's Motion to Suspend the Procedural Schedule Pending Ruling on Motion to Dismiss on all parties of record in this proceeding or their attorneys of record by electronic mail.

Dated April 6, 2005, at San Francisco, California.

/s/ KE HUANG

Ke Huang

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.